

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01908

COUNSEL: NONE

JAN 29 1999

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

She be provided the opportunity to sell 30 days of accrued leave.

APPLICANT CONTENDS THAT:

Her intentions were to sell 30 days of leave in conjunction with her reenlistment. She signed paperwork without reading it, taking for granted that her intentions to sell leave were clearly understood. She admits she made a mistake, apologized for it, and strongly desires to correct it.

In support of applicant's appeal, she submits a personal statement, Leave Misunderstanding Memo, dated 4 June 1998, Memo 375 MSS/DPMPE, Memo, MPF Commander, dated 30 June 1998, HQ AFPC/DPPAER message dated 2 July 1998, and AF Form 1089 (Leave Settlement Option).

Applicant's complete submission is attached at Exhibit A.

STATEMENT OF FACTS:

On 1 June 1998, the applicant reenlisted for four years. Prior to this date, the applicant completed an AF Form 1089, Leave Settlement Option, indicating she would carry forward all accrued leave upon reenlistment.

AIR FORCE EVALUATION:

The Chief, Skills Management Branch, Directorate of Personnel Program Management, reviewed this application and states that the applicant contends she believed the AF Form 1089 authorized her to sell 30 days leave. However, she has provided no evidence to corroborate this allegation. In fact, the evidence submitted indicates to the contrary. The Military Personnel Flight (MPF)

provided two key documents indicating the applicant was well aware of her option to sell leave but elected to carry it forward. Both the AF Form 1089 and the statement from the MPF counselor clearly indicate no misunderstanding occurred, Therefore, they recommend denial of applicant's request.

A complete copy of the Air Force evaluation is attached at Exhibit C.

The Chief, Commanders' Programs Branch, HQ AFPC/DPSFC, advises that the applicant states her desires were to sell 30 days upon reenlistment on 1 June 1998. She states it was not her intention to sign the AF Form 1089, Leave Settlement Option, indicating she would carry forward all accrued leave upon reenlistment. The applicant contends she believed the AF Form 1089 authorized her to sell 30 days leave and that the MPF misunderstood her intentions. Nonetheless, they agree with the earlier advisory and recommend denial of her request.

A complete copy of the their evaluation is attached at Exhibit D.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

The applicant reviewed the advisory opinions and states that she admits that she is guilty of having somewhat of a mental overload during the time she signed paperwork to carry leave over, She was concentrating on things that she needed to do, things that she wanted to do, and trying to accomplish things that she had to do. The reason why she wants to sell her leave is she is on her last enlistment and would like to get things in order for retirement. Her plan was to sell 30 days of leave in order to resolve an outstanding Chapter 13 that she is currently in debt due to a divorce.

Applicant's complete response is attached at Exhibit F.

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinion and recommendation of the Air Force and adopt their rationale as the basis for our conclusion that the applicant has not been the

victim of an error or injustice. Therefore, in the absence of substantial evidence to the contrary, we find no compelling basis to recommend granting the relief sought in this application.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered this application in Executive Session on 17 December 1998, under the provisions of AFI 36-2603:

Mr. Vaughn E. Schlunz, Panel Chair
Mr. Loren S. Perlstein, Member
Mr. Kenneth L. Reinertson, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 6 July 1998, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, HQ AFPC/DPPAE, dated 18 August 1998.
- Exhibit D. Letter, HQ AFPC/DPSFC, dated 9 September 1998.
- Exhibit E. Letter, SAF/MIBR, dated 21 September 1998.
- Exhibit F. Applicant's Response, dated 5 October 1998.


VAUGHN E. SCHLUNZ
VAUGHN E. SCHLUNZ
Panel Chair